Fairview Township

York County, Pennsylvania

ORDINANCE NO. 2022-4

AN ORDINANCE AMENDING THE FAIRVIEW TOWNSHIP CODE OF ORDINANCES, CHAPTER 252, STORMWATER MANAGEMENT, TO UPDATE ITS PROVISIONS TO COMPLY WITH CURRENT REGULATORY REQUIREMENTS AND TO PROVIDE FOR SMALL SCALE STORMWATER MANAGEMENT PRACTICES FOR LOW IMPACT DEVELOPMENT.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Fairview Township, York County, Pennsylvania, as follows:

Section 1. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article I, General Provisions, §252-2, Findings, shall be amended to add a new subsection E which shall provide as follows:

E. The use of green infrastructure and low impact development (LID) are intended to address the root cause of water quality impairment by using systems and practices which use or mimic natural processes to 1) infiltrate and recharge, 2) evapotranspire, and/or 3) harvest and use precipitation near where it falls to earth. Green infrastructure practices and LID contribute to the restoration or maintenance of pre-development hydrology.

Section 2. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article I, General Provisions, §252-3, Purpose, Subsection C, shall be amended to provide as follows:

C. Manage stormwater runoff close to the source, reduce runoff volumes and mimic predevelopment hydrology.

Section 3. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article I, General Provisions, shall be amended to add a new §252-8.1, Waivers, which shall provide as follows:

A. If the Municipality determines that any requirement under this Ordinance cannot be achieved for a particular regulated activity, the Municipality may, after an evaluation of alternatives, approve measures other than those in this Ordinance, subject to §252-8.1.B and §252-8.1.C.

B. Waivers or modifications of the requirements of this Ordinance may be approved by the Municipality (by the Township Engineer and the Board of Supervisors) if enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question,

provided that the modifications will not be contrary to the public interest and that the purpose of the Ordinance is preserved. Cost or financial burden shall not be considered a hardship. Modification may be considered if an alternative standard or approach will provide equal or better achievement of the purpose of the Ordinance. A request for modifications shall be in writing and accompany the Stormwater Management Site Plan submission. The request shall provide the facts on which the request is based, the provision(s) of the Ordinance involved, and the proposed modification.

C. No waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre may be granted by the Municipality unless that action is approved in advance by the Department of Environmental Protection (DEP) or the delegated county conservation district.

Section 4. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article II, Terminology, §252-9, Definitions, shall be amended by adding or revising the following definitions in alphabetical order:

FLOODPLAIN – Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area. Also includes areas that comprise Group 13 Soils, as listed in Appendix A of the Pennsylvania DEP Technical Manual for Sewage Enforcement Officers (as amended or replaced from time to time by DEP).

GREEN INFRASTRUCTURE – Systems and practices that use or mimic natural processes to infiltrate, evapotranspire, or reuse stormwater on the site where it is generated.

LOW IMPACT DEVELOPMENT (LID) – Site design approaches and small-scale stormwater management practices that promote the use of natural systems for infiltration, evapotranspiration, and reuse of rainwater. LID can be applied to new development, urban retrofits, and revitalization projects. LID utilizes design techniques that infiltrate, filter, evaporate, and store runoff close to its source. Rather than rely on costly large-scale conveyance and treatment systems, LID addresses stormwater through a variety of small, cost-effective landscape features located on-site.

RIPARIAN BUFFER – A permanent area of trees and shrubs located adjacent to perennial or intermittent streams, lakes, ponds, and wetlands.

Section 5. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, §252-10, General Requirements, Subsection H.(3), shall be amended to provide as follows:

3. Incorporate methods described in the Pennsylvania Stormwater Best Management Practices Manual (BMP Manual, see Article X.C). If methods other than green infrastructure and LID methods are proposed to achieve the volume and rate controls required under this

Ordinance, the SWM Site Plan must include a detailed justification demonstrating that the use of LID and green infrastructure is not practicable.

Section 6. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, §252-11, Exemptions, shall be amended to provide as follows:

Any regulated activity that meets the following exemption criteria is exempt from the part(s) of this chapter as specified herein. However, the requirements of the Ordinance shall otherwise remain in effect. The criteria for exemption in this section apply to the total development proposed, including instances in which the development is proposed to take place in phases. The date of enactment of this chapter shall be the starting point from which future development and the respective proposed impervious surface computations shall be cumulatively considered and regulated. Exemption shall not relieve an applicant from implementing such measures as necessary to meet the intent of this chapter, or compliance with any NPDES Permit requirements.

A. Regulated activities
   (1) Small projects. Regulated activities that propose less than 400 square feet of additional impervious area may be fully exempt and a fee in lieu may be paid. Refer to Appendix C hereto to determine the requirements for exempt small projects, as defined by Appendix C.
   (2) Regulated activities for residential uses: For the first 400 square feet of new impervious area, created after the enactment date of this Part, a credit shall be granted subject to subsection A above, whereby the regulated activity is exempt from the requirements of this Part. For the next 600 square feet of new impervious area, created after the enactment date of this Part, the regulated activity is subject only to the volume control requirements of this Part; therefore, a simplified stormwater management permit application to Fairview Township is required. The Township may elect to adopt by resolution, Modified Requirements for Small Projects. Under these regulations, Regulated Activities that involve up to 1,000 square feet of proposed Impervious Surfaces may apply the modified requirements presented in the "Simplified Approach to Stormwater Management for Small Projects" (Simplified Approach) to comply with the requirements of this Ordinance.
   (3) Regulated activities that create disconnected impervious areas (DIAs) greater than 1,000 square feet and equal to or less than 5,000 square feet are exempt only from the peak rate control requirement of this Chapter, the regulated activity is subject only to the plan preparation and volume control requirements of this Part.
   (4) Applicants proposing regulated activities which qualify as a DIA with the availability of minimum separation distances are exempted from various requirements of this chapter according to the following table and regulations:

Minimum Separation Distances

New Impervious Area (Square Feet)	Minimum Separation Distance (Feet)	
	Sheet Flow	Roof Drain
0 to 250	See Appendix B	See Appendix B
251 to 400	See Appendix B	See Appendix B
401 to 1,000	75	110
1,001 to 1,500	100	150
1,501 to 2,000	125	190
2,001 to 2,500	150	225
2,501 to 3,000	175	260
3,001 to 4,000	200	300
4,001 to 5,000	225	340

A roof with no roof drain is sheet flow. Where Fairview Township believes that conditions present in the receiving area (due to slope, soil type, existing drainage problems, etc.) warrant additional separation distance, Fairview Township may require additional separation distance or require stormwater management controls.

(a) Minimum separation.

[1] New impervious cover shall be separated from the features listed in § 252-11A(3)(a)[2] below and in accordance with the minimum separation distances listed in the table above.

[2] Minimum separation distance is the shortest distance from the edge of the proposed new impervious cover, or roof drain discharge point, in the flow direction of runoff, to any of the following:
[a] Perennial or intermittent streams or watercourses;
[b] Swales or ditches;
[c] Wetlands;
[d] Lakes, ponds, and other surface water bodies;
[e] Storm sewer or combined sewer systems;
[f] Public roads;
[g] Property lines;
[h] Cropland, pastureland, manure storage areas and other agricultural land;
[i] Other features deemed relevant by Fairview Township.

(b) Multiple impervious areas.

[1] If the proposed new impervious area receives runoff from an existing contiguous impervious area or contributes runoff to an existing contiguous impervious area, the total impervious area to be considered for this exemption shall be the new impervious area only.

[2] If the existing and proposed new impervious areas are not contiguous, the total impervious area to be considered for this exemption shall be the new impervious area only. In this case, the total separation areas may include the distance between two impervious areas.

[3] Separation from the features listed in § 252-11A(3)(a)[2] shall be determined from the edge or roof drain discharge, of either the existing or the proposed new impervious area, whichever is the most downslope.

[4] Fairview Township reserves the right to consider existing conditions and run-off issues in determining the needed separation area under this section.

(c) Discharge.

[1] With the exception of roof drains, runoff from the proposed new impervious cover may not be concentrated. Roof drains:

[a] Must discharge to a stabilized separation area meeting the criteria in the above table for minimum separation distance shown above and § 252-11A(3).

[b] May not discharge to concentrated flow areas. Separation shall be determined from the roof drain discharge point unless the discharge is to an impervious area. In this case the separation shall be determined from the edge of the pervious area.

(d) Separation area.

[1] The area separating the proposed new impervious discharge from any features such as those listed in § 252-11A(3)(a)[2] must always meet the following criteria:

[a] Be maintained in stable vegetative cover.

[b] Eroded areas in the separation area must be immediately repaired.

[c] No new impervious cover may be installed in the separation areas unless the requirements of this chapter are met.

[d] Runoff in the separation area must be maintained as unconcentrated flow.

[2] The separation area may contain cropland, pastureland, manure storage areas and other agricultural land provided the land is in compliance with Title 25, Chapter 102.4.a (relating to erosion and sediment pollution control on agricultural land), and Title 25, Chapter 91.36.a (relating to pollution control at agricultural operations), of The Pennsylvania Code.

(e) Obligation to meet other requirements

[1] Nothing in this section shall relieve the applicant of any responsibility under other regulations such as, but not limited to, municipal ordinances or codes and state and federal regulations related to stormwater management, NPDES permitting requirements for erosion and sediment pollution control and post-construction stormwater management, stream and wetland encroachment or floodplain management.

B. Agricultural activity is exempt from the rate control and SWM site plan preparation requirements of this chapter, provided the activities are performed according to the requirements of 25 Pa. Code § 102. For regulated activities that meet this exemption criteria, no formal application to the Township is required.

C. Forest management and timber operations are exempt from the rate control and SWM site plan preparation requirements of this chapter provided the activities are performed according to the requirements of 25 Pa. Code § 102. For regulated activities that meet this exemption criteria, no formal application to the Township is required.

D. Domestic gardening and landscaping are exempt from specific approval and permitting under this chapter so long as those activities are associated with one, and only one, dwelling unit and the activities comply with all other applicable ordinances and statutes.

E. Exemptions from certain provisions of this chapter shall not relieve the applicant from the requirements in § 252-10, Subsections D through N.

F. The Township may deny or revoke any exemption pursuant to this section at any time for any project that the Township determines poses a threat to public health, safety, property or the environment.

Section 7. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, §252-12, Volume Controls, shall be amended to provide as follows:

The green infrastructure and low impact development practices provided in the BMP Manual, see Article X.C, shall be utilized for all regulated activities wherever possible. Water volume controls shall be implemented using the Design Storm Method in Subsection A or the Simplified Method in Subsection B below. For regulated activity areas equal or less than one acre that do not require hydrologic routing to design the stormwater facilities, this Ordinance establishes no preference for either methodology; therefore, the applicant may select either methodology on the basis of economic considerations, the intrinsic limitations on applicability of the analytical procedures associated with each methodology and other factors.

A. The Design Storm Method (CG-1 in the BMP Manual, see Article X.C) is applicable to any size of regulated activity. This method requires detailed modeling based on site conditions.

1. Do not increase the post-development total runoff volume for all storms equal to or less than the 2-year 24-hour duration precipitation.

2. For modeling purposes:
   a. Existing (predevelopment) non-forested pervious areas must be considered meadow in good condition.
   b. 20 percent of existing impervious area, when present, shall be considered meadow in good condition in the model for existing conditions.

B. The Simplified Method (CG-2 in the BMP Manual, see Article X.C) provided below is independent of site conditions and should be used if the Design Storm Method is not followed. This method is not applicable to regulated activities greater than one acre or for projects that require design of stormwater storage facilities. For new impervious surfaces:

1. Stormwater facilities shall capture at least the first two inches of runoff from all new impervious surfaces.

2. At least the first inch of runoff from new impervious surfaces shall be permanently removed from the runoff flow, i.e., it shall not be released into the surface waters of this Commonwealth. Removal options include reuse, evaporation, transpiration, and infiltration.

3. Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first 0.5 inch of the permanently removed runoff should be infiltrated.

4. This method is exempt from the requirements of §252-13, Rate Controls.

Section 8. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, §252-13, Rate Controls, shall be amended to add a new subsection C which shall provide as follows:

C. For areas covered by a release rate map from an approved Act 167 Stormwater Management Plan:

For the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storm events, the post-development peak discharge rates will follow the applicable approved release rate maps. For any areas not shown on the release rate maps, the post-development discharge rates shall not exceed the pre-development discharge rates.

Section 9. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, shall be amended to add a new §252-13.1, Riparian Buffers, which shall provide as follows:

§252-13.1. Riparian Buffers.

A. In order to protect and improve water quality, a Riparian Buffer Easement shall be created and recorded as part of any subdivision or land development that encompasses a Riparian Buffer.

B. Except as required by Chapter 102, the Riparian Buffer Easement shall be measured to be the greater of the limit of the 100-year floodplain or a minimum of 35 feet from the top of the streambank (on each side).

C. Minimum Management Requirements for Riparian Buffers.

1. Existing native vegetation shall be protected and maintained within the Riparian Buffer Easement.

2. Whenever practicable, invasive vegetation shall be actively removed, and the Riparian Buffer Easement shall be planted with native trees, shrubs and other vegetation to create a diverse native plant community appropriate to the intended ecological context of the site.

D. The Riparian Buffer Easement shall be enforceable by the municipality and shall be recorded in the appropriate County Recorder of Deeds Office, so that it shall run with the land and shall limit the use of the property located therein. The easement shall allow for the continued private ownership and shall count toward the minimum lot area required by Zoning, unless otherwise specified in the municipal Zoning Ordinance.

E. Any permitted use within the Riparian Buffer Easement shall be conducted in a manner that will maintain the extent of the existing 100-year floodplain, improve or maintain the stream stability, and preserve and protect the ecological function of the floodplain.

F. Permitted Uses. The following uses shall be permitted within the Riparian Buffer Easement, provided that they are in compliance with the provisions of the underlying zoning district, are not prohibited by another Fairview Township ordinance or regulation.

1. Common open space, nature preserves and wildlife sanctuaries, forest preserves, passive recreational and park areas, trails, greenways, and similar uses.
2. Fishing, swimming, boating, etc.
3. Boat launch facilities, provided that parking areas and other uses associated with the boat launch are placed outside of the Riparian Buffer Easement.
4. River-oriented uses.
5. Municipal-owned uses.
6. Educational and scientific uses.
7. Essential services.
8. Stream bank and watershed improvements approved by the York County Conservation District, and/or the Commonwealth of Pennsylvania.
9. Crossings by recreational trails, roads, railroads, sewer and water lines, and public utility transmission lines, provided that all necessary permits and approvals from federal, state, and local agencies are received and that required plantings are of native species and maintained.

G. Prohibited Uses. The following uses shall be prohibited int eh Riparian Buffer Easement.

1. Grading, filling, or earthmoving which alters or changes the natural ridgelines and/or stream banks.
2. Storage and/or disposal of any toxic, hazardous, or noxious substance.
3. Storing of junk (residential and non-residential).

4. Unenclosed storage.

5. Septic drainfields and sewage disposal systems shall not be permitted within the Riparian Buffer Easement and shall comply with setback requirements established under 25 Pa. Code Chapter 73

H. Required vegetation. Within the Riparian Buffer Easement, v3egetative plantings including trees, shrubs and ground cover shall be provided and shall be maintained for stream bank stabilization, soil stability, and habitat for native animal species.

1. Existing vegetative plantings shall not be removed within the Riparian Buffer Easement, except:

a. When associated with the development of an access point for a trail or other similar corridor, the width of such access point shall not exceed 12 feet in width.

b. The removal of dead, diseased or damaged vegetation.

c. The removal of invasive species and replacement with native species.

d. Any new vegetative plantings and/or replacement of existing vegetative plantings shall be of native plant materials to stabilize any disturbed landscapes, improve the function of the floodplain, screen and buffer adjacent land uses and improve the aesthetic condition of the condition of the easement whenever possible.

e. Regular maintenance/pruning of landscaping, including the removal of dead and/or diseased vegetation, shall be permitted.

I. The following conditions shall apply when public and/or private recreation trails are permitted within Riparian Buffers:

1. Trails shall be for non-motorized use only.

2. Trails shall be designed to have the least impact on native plant species and other sensitive environmental features.

3. Trails shall be located a minimum fifteen (15) feet from the top of bank or edge of the watercourse.

Section 10. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, §252-17, Calculation Methodology, Subsection B, shall be amended to provide as follows:

B. Water Carrying Facilities:

(1) All storm sewer pipes, grass waterways, open channels, swales, and other water-carrying facilities that service drainage areas within the site shall be designed to convey the 25-year storm event unless in the opinion of the Township or Township Engineer the character of development and potential for damage warrant design for the 50- or 100-year storm.

(2) Storm water management facilities that convey off-site water through the site shall be designed to convey the 50-year storm event.

(3) All developments shall include provisions that allow for the overland conveyance and flow of the post-developed 100-year storm event without damage to public or private property.

(4) A 100-year storm frequency may be required for design of the stormwater collection system to ensure that the resultant stormwater runoff from the post-development storm is directed into the management facility.

(5) Conveyance facilities shall comply with the design criteria in the following table:

Conveyance Facility Design Criteria		
Location	**Within public street right-of-way/paved areas**	**Outside Public Street right-of-way**
a) Pipe Design		
1. Material	SLHDPE/RCP	SLHDPE/RCP
2. Slope (minimum)	0.50%	0.50%
3. Cover	1' to stone subgrade	1' to surface
4. Diameter (minimum)	18 inches	per design calculations
5. Street crossing angle	90 degrees	N/A
6. Access/maintenance port frequency (maximum)	400 feet	400 feet
b) Inlet Design		
1. Material	Concrete	Concrete
2. Grate depression	N/A	6 inches
c) Manhole Design		
1. Material	Concrete	Concrete
d) Swale Design		
1. Freeboard (minimum)	6 inches	6 inches
2. Velocity (maximum)	Stability check	Stability check
3. Slope (minimum)	2%	1%
4. Side Slopes	3:1 max	3:1 max
5. Bottom width to flow depth ratio	12:01	12:01
e) Pipe Inlet/Outlet Design		
1. End treatment	Concrete headwall/endwall	Concrete headwall/endwall
2. Energy dissipator	Required	Required

(6) Storm sewer pipes, culverts, manholes, inlets, endwalls, and end sections proposed for dedication or located along streets shall conform to the requirements of the Pennsylvania Department of Transportation, Bureau of Design, Standards for Roadway Construction, Publication No. 72, in effect at the time the design is submitted.

(7) The roughness coefficient (Manning "n" values) used for conveyance pipe capacity calculations shall be determined in accordance with PennDOT Publication 584, PennDOT Drainage Manual, or per the manufacturer's specifications.

(8) Inlets shall be placed along streets as follows:

a. On both sides of streets at low spots. All inlets at low points along the roadway shall have a ten-inch curb reveal and shall be equipped with pavement base drain extending 50 feet in either direction, parallel to the center line of the roadway.

b. At all changes in the horizontal or vertical direction of storm sewers

c. Stormwater runoff on roadways (i.e., gutter spread, lane encroachment, etc.) shall be controlled in accordance with PennDOT Publications 13M, "Design Manual, Part 2" and 584, "Drainage Manual."

d. At or beyond the curb radius points at intersections.

i. For the purpose of inlet location at intersections, the depth of flow shall be considered for each gutter.

ii. At intersections, the depth of flow for the 25-year storm across the through streets shall not exceed one inch.

(9) Inlets shall be depressed below the grade of the road-side swale or ground surface as indicated in the above design chart.

(10) An access/maintenance port may either be an inlet or manhole.

(11) Manholes may be substituted for inlets at locations where inlets are not required to collect surface runoff.

(12) Material consistency and placement depths for storm sewer pipe backfill shall be (at a minimum) per all applicable pipe manufacturer's recommendations, further providing it should be free of large (not exceeding six inches in any dimension) stone, rock, or other objectionable or detritus material.

(13) Inlets or manholes shall be placed at all points of changes in the horizontal or vertical directions of conveyance pipes. Curved pipe sections are prohibited.

(14) All inlets placed in paved areas shall have heavy duty bicycle-safe grating consistent with PennDOT Publication 72M, latest edition. A note to this effect shall be added to the Storm Water Management Site Plan or inlet details therein.

(15) Where the connecting pipe has a diameter 18 inches or greater, headwalls and endwalls shall be provided with a protective barrier device to prevent entry of the storm sewer pipe by unauthorized persons. Such protection devices shall be designed to be removable for cleaning.

(16) Flow velocities from any storm sewer shall not result in a degradation of the receiving channel.

(17) Energy dissipaters shall be placed at the outlets of all storm sewer pipes where flow velocities exceed maximum permitted channel velocities.

(18) Roadway crossings located within flood-prone areas, as defined by Chapter 151 of the Fairview Township Code, or as otherwise directed by the Township Engineer, must be able to safely convey runoff from the 100-year design storm with a minimum of one foot of freeboard measured below the lowest point along the top of the roadway. For bridges, freeboard shall be measured below the low chord elevation of the bridge.

(19) Drainage conveyance facilities to or exiting from stormwater management facilities (i.e., detention basins) shall be designed to convey the design flow to or from that structure.

(20) The capacities of swales shall be computed from the Manning Equation using the following design parameters: Permissible open channel velocities and design standards shall be in accordance with good engineering practice as documented in the Engineering Field Manual for Conservation Practices, U.S.D.A., S.C.S., or in Design Charts for Open-Channel Flow, Hydraulic Design Series No. 3, U.S. Department of Transportation.

a. Vegetated swales:

1. The first condition shall consider swale stability based upon a low degree of retardance ("n" = 0.03);

2. The second condition shall consider swale capacity based upon a higher degree of retardance ("n" = 0.05); and

3. The "n" factors to be used for paved or riprap swales or gutters shall be based upon accepted engineering design practices, as approved by the Township Engineer.

b. All swales shall be designed to maximize infiltration and concentrate low flows to minimize siltation and meandering unless geotechnical conditions do not permit infiltration.

c. All grass-lined swales shall be provided with a minimum of four inches of topsoil. Swales shall be mulched and seeded with Formula B seed mixture in areas that will be mowed and Formula D seed mixture in areas with limited access that will not be mowed, in accordance with the latest edition of PennDOT Publication 408, § 804, or its successor publications pertaining to the same subject matter.

Section 11. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, §252-17, Calculation Methodology, Subsection C, shall be amended to provide as follows:

C. Above Ground Storage Facilities:

1. Above ground storage facilities shall consist of all storm water facilities which store, infiltrate/evaporate/transpire, clean, release, or otherwise affect storm water runoff and the top of which is exposed to the natural environment. Above ground storage facilities shall be located above the finished ground elevation. Above ground storage facilities do not include storm water management facilities designed for conveyance, or cisterns.

2. Facilities with a facility depth greater than six feet shall not be permitted in residential areas. Facility depth shall be measured from the bottom of the emergency spillway to the lowest point in the facility.

3. Above ground storage facilities shall comply with the design criteria in the following table:

Above-ground storage facility design criteria			
	Facility Depth		
	Less than 2 feet	2 feet to 6 feet	Greater than 6 feet
a. Embankment Geometry			
1. Top width (minimum)	2 feet	6 feet	8 feet
2. Interior side slope (maximum)	3:1	4:1	4:1
3. Exterior side slope (maximum)	3:1	4:1	4:1
b. Embankment Construction			
1. Clay/Impervious Core	Not required	Required	Required
2. Pipe collar	Not required	Required	Required
3. Compaction density	Not required	Required	Required

c. Internal Construction			
1. Dewatering feature	N/A	Required	Required
2. Pretreatment elements	Not required*	Required	Required
d. Outlet Structure			
1. Pipe size (minimum)	12 inches	18 inches	18 inches
2. Pipe material	SLHDPE, PVC, RCP	SLHDPE**, RCP	SLHDPE**, RCP
3. Anticlogging devices	Required	Required	Required
4. Antivortex design	Not required	Required	Required
5. Watertight joints in piping	Yes	Yes	Yes
e. Spillway Requirements			
1. Spillway freeboard (minimum)	3 inches	6 inches	12 inches
2. Width (minimum)	5 feet	10 feet	20 feet
3. Width (maximum)	20 feet	50 feet	50 feet
4. Spillway channel design	Required	Required	Required
5. Routing of 100-year storm	Permitted	Permitted	Permitted

* Pretreatment is required for infiltration BMPs unless shown to be unnecessary.

** SLDPE pipe shall be provided with a concrete cradle extending through the basin embankment.

N/A = Not applicable

SLHDPE = Smooth lined high density polyethylene pipe; PVC = Polyvinyl chloride;

RCP = Reinforced concrete pipe

4. If required, pretreatment elements shall be designed according to the BMP manual, see Article X.C.

5. All above ground storage facilities shall be structurally sound and shall be constructed of sound and durable materials.

a. All discharge control devices with appurtenances shall be made of reinforced concrete and stainless steel.
b. Bolts/fasteners shall be stainless steel.
c. The completed structure and the foundation of all basins shall be stable under all probable conditions of operation.
d. Spillways shall be capable of discharging the peak discharge of a post-development 100-year storm event through the emergency spillway facilities, in a condition that assumes the primary outlet(s) are blocked, which will not damage the integrity of the facility or the downstream drainage areas.
e. Use of the spillway to convey flows greater than the 50-year design storm shall be permitted.
f. The effect on downstream areas if the above ground storage facility embankment fails shall be considered in the design of all basins. The basin shall be designed to minimize the potential damage caused by such failure of the embankment.
g. An easement shall be provided from the spillway outfall to a natural or artificial watercourse.

6. All detention basins shall include an outlet structure to permit draining the Rate Control Volume within 24 hours, exclusive of BMP storage.

7. All outlet structures and emergency spillways shall include a satisfactory means of dissipating the energy of flow at its outlet to assure conveyance of flow without endangering the safety and integrity of the basin and the downstream drainage area. Discharges from piping outlets of stormwater management facilities shall be provided with a concrete "level spreader" to convert point discharge back to simulated sheet flow. The length of the spreader shall be equal to ten times the outlet pipe diameter (e.g., an 18-inch discharge pipe would require a 15-foot-wide level spreader).

8. A concentrated discharge of stormwater to an adjacent property shall be within a natural drainageway or watercourse, or an easement shall be required.

9. Easement. SWM site plans showing outlet control structures shall contain an easement dedication as follows: "An easement is hereby granted to Fairview Township to access and modify the basin outlet control device at the expense of the developer so as to function within design parameters."

10. Plans for infiltration must show the locations of existing and proposed septic tank infiltration areas and wells. A minimum 25-foot separation from on-lot disposal system (OLDS) infiltration areas, including replacement areas, is required. Infiltration rates shall be based upon perc and probe tests conducted at the site of the proposed facility.

11. Where a basin embankment is constructed using fill on an existing 15 percent or greater slope, the basin must be keyed into the existing grade.

12. A clay/impervious core shall consist of a cutoff trench (below existing grade) and a core trench (above existing grade).
    a. A clay/impervious core may not be required wherever the facility depth is less than two feet.

b. Materials used for the clay/impervious core shall conform to the Unified Soil Classification GC, SC, CH, or CL and must have at least 30 percent passing the No. 200 sieve.
c. The dimensions of the clay/impervious core shall provide a minimum trench depth of two feet below existing grade, minimum width of four feet and side slope of 1H:1V or flatter.
d. The clay/impervious core should extend up to the 25-year water surface elevation or six inches below the emergency spillway elevation, whichever is lower.
e. The clay/impervious core shall extend four feet below any pipe penetrations through the impervious core.
f. The core shall be installed along or parallel to the centerline of the embankment.
g. Compaction requirements for the clay/impervious core shall be the same as those for the embankment to assure maximum density and minimum permeability.

13. All pipe collars, if required, shall be designed in accordance with Chapter 7 of the PA DEP Erosion and Sediment Control Manual. The material shall consist of concrete or otherwise non-degradable material around the outfall barrel and shall be watertight.

14. The embankment fill material shall be free of topsoil, organic material, roots, stumps, wood, rubbish, stones greater than six inches, frozen or other objectionable materials.

15. The minimum freeboard for spillways shall be provided above the 100-year design elevation of the water surface at the emergency spillway in a condition that assumes the primary outlet(s) is (are) blocked.

16. The minimum bottom slope of facilities not designed for infiltration shall be two percent. A flatter slope may be used if an equivalent dewatering mechanism is provided.

17. If required, dewatering shall be provided through the use of underdrain, surface device, or an alternate approved by the Township Engineer. If the facility is to be used for infiltration, the dewatering device should be capable of being disconnected and only be made operational if the basin is not dewatering within the required timeframe.

18. Within basins designed for infiltration, a planting plan shall be prepared in accordance with this Ordinance and the BMP Manual, see Article X.C.

19. Lots adjacent to basins shall have a lowest floor elevation at least 1 ½ feet higher than the one-hundred-year water surface elevation in the basin.

20. All stormwater runoff storage facilities must be located outside of flood prone areas, as defined by Chapter 151 of the Fairview Township Code.

21. Access. All stormwater management facilities shall be accessible by vehicular means along stabilized access roads in order to allow for proper maintenance as required.

22. Fencing. Any aboveground stormwater management detention/retention facility that is designed to store at least a two-foot depth of runoff, or where determined necessary by the Township Engineer, shall be subject to the following fencing requirements:

a. Stormwater facility must be completely surrounded by a chain-link fence of not less than four feet in height. Alternative fences and barriers may be permitted upon request to and approval by the Township.
b. All gates or doors opening through such enclosure shall be equipped with a latching device for keeping the gate or door securely closed at all times, when not in actual use.

23. Where required, impermeable liner shall be constructed to meet the following minimum requirements:

a. The minimum liner required is 30-mil high density polyethene (HDPE) and must be UV resistant. Actual individual liner specifications shall be provided by the manufacturer for each individual pond.
b. The liner must be placed on a layer of fine-grained soil that has been rolled with a smooth drum roller in both directions to produce a smooth level base for the liner. The soil may not contain sharp angular rock or other debris that could puncture the liner and must meet all manufacturers' specifications for a liner bedding. All vegetation, roots, and grass must be removed, and any cracks or voids shall be filled.
c. If rock is encountered in the bedding area, this rock must be excavated to a depth of six inches below the liner and backfilled with a fine-grained soil. This area should then be covered with geotextile fabric, extending three feet beyond the limits of the rock outcrop before placing the pond liner.
d. Installation of the liner may only take place when the ambient temperature is within the manufacturer's specifications. The number of field seams shall be minimized by requiring factory fabrication of large panels. Any field seams performed must be in accordance with the manufacturer's specifications.
e. All structures (i.e., headwalls, pipes, outlet structures) which come in contact with the liner must have a waterproof seal installed to prevent leaks around the structure. These seals shall be installed per manufacturer's recommendations.
f. A minimum of 12 inches of earth cover shall be placed over the lining. Soil containing sharp jagged rocks, roots, debris, or any other material that may puncture the liner shall not be used as cover material.
g. The liner must be installed to a minimum height of the 100-year flood water elevation in the facility.

Section 12. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article III, Stormwater Management Standards, §252-17, Calculation Methodology, shall be amended to add a new subsection D which shall provide as follows:

D. Subsurface Storage Facilities:

1. Subsurface storage facilities shall consist of all storm water facilities which store, infiltrate/evaporate/transpire, clean, release, or otherwise affect storm water runoff and the top of which is not exposed to the natural environment. Subsurface facilities shall be located below the finished ground elevation. Subsurface facilities shall not include storm water management facilities designed for conveyance.

2. Subsurface storage facilities shall comply with the design criteria in the following table:

Subsurface Storage Facility Design Criteria		
	Facility Type	
	Infiltration and Storage	**Storage without Infiltration**
a. Facility Geometry		
1. Depth from surface (maximum)	2 feet less than limiting zone	N/A
2. Loading ratio (maximum)	Per BMP Manual (see Article X.C)*	N/A
a. Distribution System Requirements		
1. Pipe size (minimum)	4 inches	4 inches
2. Loading/balancing	Required	Required
3. Observation/access ports	Required	Required

*Unless otherwise determined by professional geologic evaluation

3. The facility shall be designed according to the BMP Manual, see Article X.C, to provide pretreatment to eliminate solids, sediment, and other debris from entering the subsurface facility.

4. The facility shall be designed to provide a means of evenly balancing the flow across the surface of the facility to be used for infiltration.

5. Observation/access ports shall be provided for all subsurface storage facilities as follows:

   a. For facilities with the bottom less than five feet below the average grade of the ground surface, a clean-out shall be an acceptable observation port.
   b. For facilities with the bottom five feet or more below the average grade of the ground surface, a manhole or other means acceptable to the Township shall be provided for access to and monitoring of the facility.
   c. The number of access points shall be sufficient to flush or clean out the system.

6. Storage and distribution system piping shall be PVC, SLHDPE, or RCP.

7. The stone used for infiltration beds shall be clean washed, uniformly graded coarse aggregate. The void ratio for design shall be assumed to be 40 percent.

8. Material consistency and placement depths for backfill shall be (at a minimum) per all applicable pipe manufacturer's recommendations.

    a. Backfill material shall be free of large (not exceeding six inches in any dimension) stone, rock, or other objectionable or detritus material.
    b. Select non-aggregate backfill material should be indigenous to the surrounding soil material for non-vehicular areas.
    c. Backfill material within vehicular areas shall comply with the requirements of the governing municipal road/street or subdivision and land development ordinance.
    d. If the design concept includes the migration of runoff through the backfill to reach the infiltration facility, the material shall be well drained, free of excess clay or clay-like materials and generally uniform in gradation.

9. Non-woven geotextiles shall be placed on the sides and top of subsurface infiltration facilities.

10. When located under pavement, the top of the subsurface facility shall be a minimum of three inches below the bottom of pavement subbase. Where located under vegetative cover, the top of the subsurface facility shall be a minimum of 12 inches below the surface elevation or as required to establish vegetation.

11. Subsurface facilities shall be designed to safely convey and/or bypass flows from storms exceeding the design storm.

Section 13. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article IV, Stormwater Management (SWM) Site Plan Contents, §252-21, SWM Site Plan Contents, §252-21.F shall be amended to add a new subsection 34 which shall provide as follows:

(34) A justification must be included in the SWM Site Plan if BMPs other than green infrastructure methods and LID practices are proposed to achieve the volume, rate, and water quality controls under this Chapter.

Section 14. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article IV, Stormwater Management (SWM) Site Plan Contents, §252-22, Plan Submission, §252-22.A shall be amended to add a new subsection (3) which shall provide as follows:

(3) One copy to the County Conservation District.

Section 15. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article IV, Stormwater Management (SWM) Site Plan Contents, §252-23, Plan Review and Approval Procedure, Subsection C.6 shall be amended to provide as follows:

6. The Township Building Permit Office shall not issue a building permit for any regulated activity specified in § 252-5 of this chapter if the SWM site plan has been found to be inconsistent with this chapter, as determined by the Township Engineer, or without considering the comments of the Township Engineer. All required permits from PA DEP must be obtained prior to issuance of a building permit. The permit file cannot be closed until the stormwater management plan is implemented and determined to be complete.

Section 16. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article IV, Stormwater Management (SWM) Site Plan Contents, §252-23, Plan Review and Approval Procedure, shall be amended to add a new subsection E which shall provide as follows:

E. For any SWM Site Plan that proposes to use any BMPs other than green infrastructure and LID practices to achieve the volume and rate controls required under this Ordinance, the Municipality will not approve the SWM Site Plan unless it determines that green infrastructure and LID practices are not practicable.

Section 17. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article VIII, Prohibitions, §252-35, Prohibited Discharges and Connections, Subsection C shall be amended to provide as follows:

C. The following discharges are authorized unless they are determined to be significant contributors to pollution to a regulated small MS4 or to the waters of this Commonwealth:

1. Discharges or flows from firefighting activities.

2. Discharges from potable water sources including water line flushing and fire hydrant flushing if such discharges do not contain detectable concentrations of Total Residual Chlorine (TRC).

3. Non-contaminated irrigation water, water from lawn maintenance, landscape drainage and flows from riparian habitats and wetlands.

4. Diverted stream flows and springs.

5. Non-contaminated pumped ground water and water from foundation and footing drains and crawl space pumps.

6. Non-contaminated HVAC condensation and water from geothermal systems.

7. Residential (i.e., not commercial) vehicle wash water where cleaning agents are not utilized.

8. Non-contaminated hydrostatic test water discharges if such discharges do not contain detectable concentrations of TRC.

Section 18. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article IX, Enforcement and Penalties, §252-39, Inspection, Subsection A shall be amended to provide as follows:

A. Annually for the first five years. Once every three years thereafter.

Section 19. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, Article IX, Enforcement and Penalties, §252-39, Inspection, shall be amended to add a new subsection E which shall provide as follows:

E. Inspections should be conducted during or immediately following precipitation events. A written inspection report shall be created to document each inspection. The inspection report shall contain the date and time of the inspection, the individual(s) who completed the inspection, the location of the BMP, facility or structure inspected, observations on performance, and recommendations for improving performance, if applicable. Inspection reports shall be submitted to the Municipality within 30 days following completion of the inspection.

Section 20. The Code of Ordinances of Fairview Township, Chapter 252, Stormwater Management, shall be amended to provide a new Article X, References, which shall provide as follows:

Article X – References

A. U.S. Department of Agriculture, National Resources Conservation Service (NRCS). *National Engineering Handbook.* Part 630: Hydrology, 1969-2001. Originally published as the *National Engineering Handbook*, Section 4: Hydrology. Available from the NRCS online at: http://www.nrcs.usda.gov/.

B. U.S. Department of Agriculture, Natural Resources Conservation Service. 1986. *Technical Release 55: Urban Hydrology for Small Watersheds*, 2nd Edition. Washington, D.C.

C. Pennsylvania Department of Environmental Protection. No. 363-0300-002 (December 2006), as amended and updated. *Pennsylvania Stormwater Best Management Practices Manual.* Harrisburg, PA.

D. Pennsylvania Department of Environmental Protection. No. 363-2134-008 (March 31, 2012), as amended and updated. *Erosion and Sediment Pollution Control Program Manual.* Harrisburg, PA.

E. U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service, Hydrometeorological Design Studies Center. 2004-2006. *Precipitation-Frequency Atlas of the United States, Atlas 14*, Volume 2, Version 3.0, Silver Spring, Maryland. Internet address: http://hdsc.nws.noaa.gov/hdsc/pfds/.

This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 26th day of September ,2022, by the Board of Supervisors of Fairview Township, York County, Pennsylvania, in lawful session duly assembled.

Fairview Township Board of Supervisors
York County, Pennsylvania

Attest:_____
(Assistant) Secretary

By:_____
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]

APPENDIX A

UPI No. _____
Address: _____
Fairview Township

OPERATION AND MAINTENANCE (O&M) AGREEMENT
STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES (SWM BMPS)

THIS AGREEMENT is made and entered into this ___ day of _____, 20__, by and between _____, by and for itself and its successors and assigns, including specifically any future lot owner (hereinafter the "Landowner"), and Fairview Township, a municipal corporation organized and existing under and pursuant to the Pennsylvania Second Class Township Code, York County, Pennsylvania, ("Township").

WITNESSETH

WHEREAS, the Landowner is the owner of real property located in Fairview Township, York County, more fully described in the land records in and for York County, Pennsylvania at Deed Book ___, Page ____ (hereinafter the "Property"); and

WHEREAS, the Landowner plans to develop the Property for a _____ use; and

WHEREAS, the Final Land Development Plan for the _____, which plan is expressly made a part hereof, approved by the Township and recorded concurrently with this Agreement in the Recorder of Deeds in and for York County, Pennsylvania, provides for the management of stormwater within the confines of the Property pursuant to a Stormwater Management Site Plan (the "SWM Plan"); and

WHEREAS, the SWM Plan includes a SWM BMP Operation and Maintenance Plan approved by the Township (the "O&M Plan") for the Property, a copy of which is attached hereto as Appendix A and incorporated herein, and which provides for the construction, and future operation and maintenance of SWM facilities and Stormwater Best Management Practices (BMPs) specified in the O&M Plan in order to adequately manage and control stormwater on the Property post-construction; and

WHEREAS, the Township and the Landowner agree that the health, safety and welfare of the residents of the Township and the protection and maintenance of water quality require that SWM facilities and BMPs be constructed and maintained on the Property; and

WHEREAS, the Township requires, through the implementation of the Township's Stormwater Management Ordinance, that the SWM facilities and BMPs as set forth in the approved SWM Plan be constructed and adequately operated and maintained by the Landowner

in accordance with the approved O&M Plan and the Stormwater Management Ordinance.

NOW, THEREFORE, in consideration of One Dollar ($1.00) and the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto, intending to be bound legally hereby, agree as follows:

Section 1. Unless otherwise defined in this Agreement, the terms used herein shall have the meaning given to them in the Stormwater Management Ordinance, as amended.

Section 2. The Landowner shall establish and/or construct the SWM facilities and BMPs in accordance with the terms, conditions and specifications identified in the approved SWM Plan. Except where expressly allowed by the Stormwater Ordinance, the Landowner shall not alter, modify, replace, relocate or in any way interfere with any SWM facilities or BMPs without the prior written approval of the Township.

Section 3. The Landowner shall adequately maintain the SWM facilities and BMPs shown on the approved SWM Plan in good working order in accordance with the specific requirements set forth in the O&M Plan. This includes all structures and features, including, but not limited to, swales, pipes, channels, basins, and ditches built to convey and control stormwater, as well as all SWM BMP structures, improvements, and vegetation used to control the quantity, rate, and quality of stormwater on the Property and potentially leaving the Property. Adequate O&M is defined as good working condition, acceptable to the Township, so the stormwater facilities are performing their functions as designed and not having any material adverse effects on water quality or adjoining or nearby roads, structures or properties. Adequate O&M will not be demonstrated merely by strict compliance with the SWM Plan or O&M Plan where the SWM Site Plan and O&M Plan are inadequate for stormwater management in the field.

Section 4. The Landowner hereby grants to the Township an easement for the periodic inspections by the Township and repair of the SWM facilities and BMPs, if necessary. The Landowner may choose and periodically modify the easement location so long as the Landowner at all times maintains or provides an unobstructed means for access to and emergency maintenance of the SWM facilities and BMPs. The Township shall not be liable for restoration of the Property in the event of emergency maintenance or for any damages due to failure of the Landowner to provide unobstructed access to the SWM facilities and BMPs. Whenever possible, the Township shall notify the Landowner prior to entering the Property.

Section 5. In the event the Landowner fails to maintain the SWM facilities and/or BMPs in accordance with Section 3, the Township or its representatives may enter upon the Property and take whatever action is deemed necessary to repair, operate, and/or maintain the SWM facilities and/or BMPs. Any such entry and action shall be preceded by written notice to the Landowner stating with specificity the failure to comply with this Agreement and affording Landowner a reasonable period of time after such notice to correct the failure. It is expressly understood and agreed that the Township is under no obligation to maintain or repair said SWM

facilities and BMPs, and in no event shall this Agreement be construed to impose any such obligation on the Township.

Section 6. In the event the Township, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like on account of the Landowner's failure to perform such work, the Landowner shall reimburse the Township upon demand, within 15 days of receipt of invoice thereof, for all costs, including engineer and attorney fees, incurred by the Township plus an administrative fee in the amount of ten (10%) percent of such costs. If not paid within said time period, the Township may enter a municipal lien against the property in the amount of such costs, or may proceed to recover its costs through proceedings in equity or at law as authorized under the provisions of the Municipal Claims and Tax Lien Act, 53 P.S. § 7101 et seq.

Section 7. The Landowner shall release the Township, its supervisors, employees, officers, agents and representatives, from all damages, accidents, casualties, occurrences, claims or fines which might arise, be incurred, or be asserted against said persons from the construction, presence, existence, operation and/or maintenance of the SWM facilities and BMPs on the Property by Landowner or Township.

Section 8. The Township disclaims all liability for design, construction, installation or operation defects. The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind or liability upon the Township, its officials, or employees.

Section 9. None of the conditions or covenants contained in this Agreement shall be deemed a waiver of Township's rights or immunities granted by statute. Nor shall the Township's exercise of one of its rights constitute a waiver of any other right, duty or obligation it may have under applicable law. Township immunities shall not relieve the Landowner of the duty to defend or hold harmless the Township from claims arising out of conduct of the Landowner initiated pursuant to the terms of this Agreement.

Section 10. Should any provision of this Agreement be interpreted to conflict with the Stormwater Ordinance, as amended or superseded, the provisions and requirements of the Stormwater Ordinance shall control interpretation. Should any provision of this Agreement be determined by a court to be unenforceable, such provision of this Agreement shall be deemed to be void; provided, however, the balance of the Agreement shall remain in full force and effect.

Section 11. In the event the Landowner's obligations under this Agreement will be assigned or transferred to a successor owner (whether to a developer or individual lot owners, homeowner's association, condominium association or similar form of cooperative ownership), the Landowner's obligations under this Agreement shall become joint and several obligations of the successors and assigns. Any and all successors, receivers, assignees of Landowner's interests (partial or full) shall execute a written acknowledgement of this Agreement accepting all terms, conditions and obligations set forth herein; provided, however, that the failure of such successor-in-interest shall not excuse compliance of the successor-in-interest from compliance with the

terms of this Agreement. A fully executed copy of this Agreement acknowledgement shall be provided to the Township within 30 days of the effective date of the assignment and/or transfer of interest in the Property, or portion thereof.

Section 12. This Agreement shall be recorded in the land records in and for York County, Pennsylvania and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, its/his/her successors, receivers, heirs, personal representatives and assigns, in perpetuity. Landowner shall specifically reference this Agreement and recording information in any deeds transferring or conveying the Property or any subdivided outparcels thereof.

Section 13. The laws of the Commonwealth of Pennsylvania shall govern the interpretation of this Agreement. Jurisdiction and venue shall be exclusively in York County. The obligations and duties of the Landowner under this Agreement shall be specifically enforceable by the Township, and the Landowner agrees that a court shall have the specific authority to order compliance with this Agreement in the form of a preliminary injunction or other equitable relief.

Section 14. A violation or breach of this Agreement shall be deemed a violation of the Stormwater Ordinance, as amended, which shall be subject to all remedies and enforcement set forth therein. Landowner shall be responsible for all costs of enforcement (including engineering, consultant and/or attorney fees) of this Agreement, which costs shall be reimbursed to the Township upon demand within 30 days of the receipt of an invoice therefor. All invoiced amounts due under this Agreement shall be due and payable in accordance with Section 6 above.

Section 15. This Agreement may only be amended by a written amendment executed by the party against whom enforcement is sought.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals that date first set forth above.

{SIGNATURE PAGES TO ON FOLLOWING PAGES}

ATTEST:

For FAIRVIEW TOWNSHIP

_____

Secretary

By: _____

Chairman (Vice)

(SEAL)

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF YORK :

On this the ___ day of _____, 20___, before me, the undersigned officer, personally appeared_____, who acknowledged himself to be the (Vice)Chairman of the Fairview Township Board of Supervisors, a Second Class Township organized and existing under the laws of Pennsylvania, and that he as such Chairman, being authorized to do so, executed the foregoing document for the purposes therein contained by signing the name of the township by himself as (Vice)Chairman.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____

Notary Public

My Commission Expires

WITNESS/ATTEST:

For the LANDOWNER

_____ By: _____

Name: _____

Title: _____

Date: _____

ATTEST:

_____(Municipatity)

County of _____, State of _____

I, _____, a Notary Public in and for the county and state aforesaid, whose commission expires on the _____ day of _____, 20__, do hereby certify that whose name(s) is/are signed to the foregoing Agreement bearing the date of ___ day of _____, 20__, has acknowledged the same before me in my said county and state.

GIVEN UNDER MY HAND THIS ___ day of _____, 20___.

_____

NOTARY PUBLIC

My Commission Expires:

(SEAL)